

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 1-15692

First Inventor PETER F. GERHARDINGER

Title VACUUM INSULATED QUARTZ

Express Mail Label No. EV 151028147 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 17]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Sheets 2]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number: ..... OR ☒ Correspondence address below

Name MARSHALL & MELHORN, LLC

Address FOUR SEAGATE EIGHTH FLOOR

City TOLEDO State OH Zip Code 43604

Country USA Telephone 419-249-7100 Fax 419-249-7151

Name (Print/Type) STEPHEN G. KIMMET Registration No. (Attorney/Agent) 52,488

Signature *Stephen G. Kimmet* Date 10-29-2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/695702



102903

16523

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 555.00)

## Complete if Known

Application Number  
Filing Date  
First Named Inventor PETER G. GERHARDINGER  
Examiner Name  
Art Unit  
Attorney Docket No. 1-15692

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 13-1816  
Deposit Account Name MARSHALL & MELHORN, LLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) **required**

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 385)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 30 -20\*\* = 10 X 9 = 90  
Independent Claims 2 - 3\*\* = X  
Multiple Dependent

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 90)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	80
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 80)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type) STEPHEN G. KIMMET Registration No. (Attorney/Agent) 52,488 Telephone 419-249-7100  
Signature *Stephen G. Kimmet* Date 10-29-2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

LAW OFFICES OF  
**MARSHALL & MELHORN, LLC**

FOUR SEAGATE  
 EIGHTH FLOOR  
 TOLEDO, OHIO 43604

(419) 249-7100

TELECOPIER: (419) 249-7151

FIRM E-MAIL: [attorneys@marshall-melhorn.com](mailto:attorneys@marshall-melhorn.com)

<http://www.marshall-melhorn.com>

EDWIN J. MARSHALL (1873-1946)  
 DONALD F. MELHORN (1889-1974)

COUNSEL

DONALD F. MELHORN, JR.

PAUL M. KRAUS

PHILLIP S. OBERLIN\*

DONALD H. KINCADE

MICHIGAN OFFICE

204 SOUTH MACOMB STREET

MONROE, MICHIGAN 48161

(734) 457-2444

JUSTICE G. JOHNSON, JR.<sup>Δ</sup>  
 THOMAS W. PALMER  
 KENNETH J. WHITE  
 THOMAS P. KILLAM  
 VAUGHN A. HOBLET<sup>Δ</sup>  
 MICHAEL S. SCALZO  
 MARSHALL A. BENNETT, JR.  
 RUTH A. MEACHAM  
 LORI W. DECKER  
 A. THOMAS CHRISTENSEN<sup>Δ</sup>  
 NANCY D. MOODY  
 GERARDO O. ROLLISON<sup>Δ</sup>  
 DAVID L. O'CONNELL  
 JENNIFER J. DAWSON  
 JAMES H. IRMEN<sup>Δ</sup>  
 D. EDWARD DOLGORUKOV<sup>\*Δ</sup>  
 MARK H. ROSE<sup>Δ</sup>

DONALD A. SCHURR\*  
 AMY M. NATYSHAK  
 JOHN F. BODIE, JR.  
 ROMAN ARCE  
 KENNETH J. MAUER  
 CRAIG P. BURNS  
 MATTHEW J. FISCHER  
 CLARE K. SMITH  
 MICHAEL A. GONZALEZ  
 STEPHEN P. EVANS\*  
 MARK A. HIXON\*  
 BRIDGETT J. ROOT  
 ANGELICA M. COLWELL<sup>\*Δ</sup>  
 KRISTEN A. CONNELLY  
 JOHN A. BORELL, JR.  
 JANICE K. YOON

\*ADMITTED TO PRACTICE BEFORE  
 THE PATENT AND TRADEMARK OFFICE  
<sup>Δ</sup>ALSO ADMITTED IN MICHIGAN

October 29, 2003

Mail Stop Assignments  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

RE: U.S. Provisional Patent Application 60/426,779 filed November 15, 2002  
"VACUUM INSULATED QUARTZ TUBE HEATER ASSEMBLY"  
 (Our File 1-15692)

Honorable Sir:

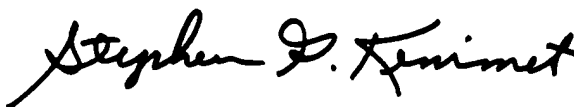
Please record and return to us the enclosed Assignment document in which Peter F. Gerhardinger is assigning his rights to the above-captioned U.S. provisional application to Engineered Glass Products, LLC.

A check in the amount of \$40.00 is enclosed to cover the requisite fee for recordation of the Assignment involving said application. Please charge any additional fees due or credit any overpayment to Deposit Account No. 13-1816.

Please date stamp and return the attached postcard indicating your receipt of the enclosed documents and fee.

Respectfully submitted,

MARSHALL & MELHORN, LLC



Stephen G. Kimmet

/sgk, Enclosures

Certificate under 37 CFR 1.10 of Mailing by "Express Mail"

EV 151028147 US

"Express Mail" label number

October 29, 2003

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, and is addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.



Signature of person mailing correspondence

Martha A. Aherne

Typed or printed name of person mailing correspondence

1. Fee Transmittal
2. Utility Patent Application Transmittal
3. Check in the Amount of \$555.00
4. 17 page Specification
5. 1 Drawings Sheet
6. Recordation Form Cover Sheet Assigning Provisional Patent Serial No. 60/426,779
7. Recordation Form Cover Sheet Assigning Utility Patent Application
8. Combined Declaration and Power of Attorney
9. Return Receipt Postcard